

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CESAR FLORES-RAMIREZ,

Petitioner,

v.

Case No. 06-C-0056

WILLIAM POLLARD,

Respondent.

ORDER

Petitioner Cesar Flores-Ramirez (“Flores-Ramirez”) requests leave to amend his petition to include claims of ineffective assistance. The respondent opposes the motion, arguing that the amendments do not relate back to the original petition and, thus, are untimely. In his motion, the petitioner suggests that the court should excuse the untimeliness of the amendments, however, the petitioner does not support his argument with any evidence (e.g. affidavits) or legal authority. Therefore, the court will grant the petitioner leave to file a legal memorandum regarding equitable tolling or any other legal basis for the court to excuse the petitioner’s proposed untimely amendments. The petitioner is directed to file his supporting materials within 20 days from the date of this order or shall forfeit the opportunity to contest the untimeliness of the amendments; if the petitioner files a memorandum, the respondent shall file a response within 20 days from the date of the filing.

Accordingly,

IT IS ORDERED that petitioner may file a legal memorandum regarding the untimeliness of his proposed amendments within 20 days from the date of this order.

Dated at Milwaukee, Wisconsin, this 7th day of November, 2006.

BY THE COURT:

s/J.P. Stadtmueller
J.P. STADTMUELLER
U.S. District Judge